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EXAMINER	
HUNTSINGER, PETER K	
ART UNIT	PAPER NUMBER
2624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/873,653	DUNLAP, DOUGLAS GERALD	
	Examiner	Art Unit	
	Peter K. Huntsinger	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 3/3/05.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-29 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks, filed 3/3/05, with respect to the rejection(s)of claim(s) 1-29 under 35 U.S.C. 103 have been fully considered and are persuasive due to the common assignee statement. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of different interpretation of the previously applied reference and new prior art.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 12-17, and 19-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Fischer U.S. Patent 6,762,852.

Referring to claim 1, Fischer discloses a method of selecting a printer from a plurality of printers to fulfill a print job of a user, the method comprising the steps of: registering a printing capability of the printers (S1 of Fig. 2, col. 3, lines 65-67); receiving

a print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3); and presenting the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-14). While Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user, this would be an inherent feature in Fischer's invention. Compiling or forming a list of capable printers would be necessary before the list is presented to the user, otherwise the suggestion of capable printers could not be made.

Referring to claim 2, Fischer discloses the method of claim 1, wherein the step of registering the printing capability includes registering the printing capability of the printers with a printer selection system controller (computer 20 of Fig. 1, col. 3, lines 49-62) (S1 of Fig. 2, col. 3, lines 65-67), wherein the step of receiving the print request includes receiving the print request for the print job from the user at the printer selection system controller (S4 of Fig. 3, col. 4, lines 48-49), and wherein the step of determining which of the printers have the printing capability to fulfill the print job includes determining via the printer selection system controller which of the printers have the printing capability to fulfill the print job (S5-S6 of Fig. 3, col. 4, lines 57-65).

Referring to claim 3, Fischer discloses the method of claim 2, further comprising the step of: linking the user and the printer selection system controller via a

communication link (col. 3, lines 57-61), wherein the step of presenting the list includes presenting the list of the at least one of the printers to the user via the communication link. Fischer does not explicitly disclose presenting the list to the user via the communication link. For the list to be presented to the user, there must be a means to direct the list to the user. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having output devices and communication hardware, which are common means to direct information from a computer to a user. Output devices and communication hardware function as communication links.

Referring to claim 4, Fischer discloses the method of claim 2, further comprising the step of: receiving a printer selection for the print job from the user at the printer selection system controller, wherein the printer selection includes a selected printer from the list of the at least one of the printers (S9 of Fig. 3, col. 5, lines 25-26).

Referring to claim 5, Fischer discloses the method of claim 4, further comprising the step of: linking the user and the printer selection system controller via a communication link (col. 3, lines 57-61), wherein the step of receiving the printer selection includes receiving the printer selection for the print job from the user via the communication link. Fischer does not explicitly disclose receiving the printer selection from the user via the communication link. For the printer selection to be received from the user, there must be a means to direct the printer selection to the controller. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having input devices and communication hardware, which are common means to direct information from a

user to a computer. Input devices and communication hardware function as communication links.

Referring to claim 6, Fischer discloses the method of claim 4, further comprising the step of: distributing the print request to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 7, Fischer discloses the method of claim 6, further comprising the step of: linking the printers and the printer selection system controller via a communication link (communication cable 32 of Fig. 1, col. 3, lines 37-40), wherein the step of distributing the print request includes distributing the print request to the selected printer via the communication link. While Fischer does not explicitly disclose distributing the printer request to the selected printer via a communication link, this would be an inherent feature in Fischer's invention. For the print request to be received at the printer, there must be a means to direct the print request to the printer. Further, Fischer discloses a communication cable, which is a common means to direct information from a controller to a printer, and functions as a communication link.

Referring to claim 8, Fischer discloses the method of claim 1, further comprising the step of: presenting to the user a user interface including at least one input field representing at least one option for the print job, wherein the step of receiving the print request includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 9, Fischer discloses the method of claim 1, wherein the step of receiving the print request includes receiving at least one of a number of copies, a print

medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive option for the print job (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 10, Fischer discloses the method of claim 2, further comprising the step of: linking the user and the printer selection system controller via a communication link (col. 3, lines 57-61), wherein the step of receiving the print request includes receiving the print request for the print job from the user via the communication link. Fischer does not explicitly disclose receiving the print request from the user via the communication link. For the print request to be received from the user, there must be a means to direct the print request to the controller. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having input devices and communication hardware, which is a common means to direct information from a user to a computer. Input devices and communication hardware function as communication links.

Referring to claim 12, Fischer discloses the method of claim 2, further comprising the step of: linking the printers and the printer selection system controller via a communication link (communication cable 32 of Fig. 1, col. 3, lines 37-40), wherein the step of registering the printing capability includes registering the printing capability of the printers with the printer selection system controller via the communication link. While Fischer does not explicitly disclose registering the printing capacity via a communication link, this would be an inherent feature in Fischer's invention. For the print capacity to be received at the controller, there must be a means to direct the printing capacity from the printer to the controller. Further, Fischer discloses a communication cable, which is a

common means to direct information from a printer to a controller, and functions as a communication link.

Referring to claim 13, Fischer discloses the method of claim 1, wherein the step of registering the printing capability (S1 of Fig. 2, col. 3, lines 65-67) includes registering at least one of an identification, a print medium capability, a print quality capability, a printing layout capability, a color printing capability, a finishing capability, a printing speed, a printer queue, and an archive printing capability of the printers (col. 4, lines 51-55).

Referring to claim 14, Fischer discloses a computer-readable medium having computer-executable instructions for performing a method of selecting a printer from a plurality of printers to fulfill a print job of a user (col. 1, lines 58-65), the method comprising the steps of: registering a printing capability of the printers (S1 of Fig. 2, col. 3, lines 65-67); receiving a print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3); and presenting the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-14). While Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user, this would be an inherent feature in Fischer's invention. Compiling a list of capable printers would be necessary before

presenting the list to the user, otherwise the suggestion of capable printers could not be made.

Referring to claim 15, Fischer discloses the computer-readable medium of claim 14, wherein the method further comprises: receiving a printer selection for the print job from the user, wherein the printer selection includes a selected printer from the list of the at least one of the printers (S9 of Fig. 3, col. 5, lines 25-26).

Referring to claim 16, Fischer discloses the computer-readable medium of claim 15, wherein the method further comprises: distributing the print request to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 17, Fischer discloses the computer-readable medium of claim 14, wherein the method further comprises: presenting to the user a user interface including at least one input field representing at least one option for the print job, wherein receiving the print request includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 19, Fischer discloses a system for selecting a printer from a plurality of printers to fulfill a print job of a user, the system comprising: a memory device (memory 28 of Fig. 1) configured to have a printing capability of the printers stored therein (col. 4, lines 30-33); and a processor (processor 30 of Fig. 1) adapted to compare a print request for the print job with the printing capability of the printers to determine which of the printers have the printing capability to fulfill the print job (S5-S6 of Fig. 3, col. 4, lines 57-65), wherein the processor is adapted to compile a list of at

least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3, col. 5, lines 7-9). While Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user, this would be an inherent feature in Fischer's invention. Compiling a list of capable printers would be necessary before presenting the list to the user, otherwise the suggestion of capable printers could not be made.

Referring to claim 20, Fischer discloses the system of claim 19, wherein the memory device and the processor are included in a printer selection system controller (computer 20 of Fig. 1, col. 3, lines 49-62), wherein the printer selection system controller is adapted to receive the print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49) and present the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-9).

Referring to claim 21, Fischer discloses the system of claim 20, further comprising: a communication link configured to link the printer selection system controller and the user (col. 3, lines 57-61), wherein the printer selection system controller is adapted to receive the print request for the print job from the user via the communication link and present the list of the at least one of the printers to the user via the communication link. While Fischer does not explicitly disclose receiving the print request or presenting the list to the user via a communication link, this would be an inherent feature in Fischer's invention. For the controller to interact with the user, there must be a means to direct information between the controller and the user. Further, Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having input

devices, output devices, and communication hardware, which are common means to direct information between a computer and a user. Input devices, output devices, and communication hardware function as communication links.

Referring to claim 22, Fischer discloses the system of claim 20, wherein the printer selection system controller is adapted to receive a printer selection for the print job from the user, the printer selection including a selected printer from the list of the at least one of the printers (S9 of Fig.3, col. 5, lines 25-26), wherein the printer selection system controller is adapted to distribute the print request for the print job to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 23, Fischer discloses the system of claim 22, further comprising: a communication link configured to link the printer selection system controller and the printers (communication cable 32, col. 3, lines 37-40), wherein the printer selection system controller is adapted to distribute the print request for the print job to the selected printer via the communication link. While Fischer does not explicitly disclose distributing the print job via a communication link, this would be an inherent feature in Fischer's invention. For the print job to be received at the printer, there must be a means to direct the print job from the controller to the printer. Further, Fischer discloses a communication cable, which is a common means to direct information from a controller to a printer, and functions as a communication link.

Referring to claim 24, Fischer discloses the system of claim 23, wherein the printer selection system controller is adapted to receive the printing capability of the printers from the printers via the communication link (communication cable 32, col. 3,

lines 37-40). While Fischer does not explicitly disclose receiving the printing capacity via a communication link, this would be an inherent feature in Fischer's invention. For the print capacity to be received at the controller, there must be a means to direct the printing capacity from the printer to the controller. Further, Fischer discloses a communication cable, which is a common means to direct information from a printer to a controller, and functions as a communication link.

Referring to claim 25, Fischer discloses the system of claim 19, wherein the printing capability of the printers includes at least one of an identification, a print medium capability, a printing quality capability, a printing layout capability, a color printing capability, a finishing capability, a printing speed, a printer queue, and an archive capability of the printers (col. 4, lines 48-55).

Referring to claim 26, Fischer discloses the system of claim 19, further comprising: a user interface including at least one input field representing at least one option for the print job, wherein the user interface includes at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive field (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 27, Fischer discloses the system of claim 19, wherein the print request includes at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive option for the print job (S4 of Fig. 3, col. 4, lines 48-55).

4. Claims 1, 14, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Amarger et al. Pub. No. US 2003/0035122.

Referring to claim 1, Amarger et al. disclose a method of selecting a printer from a plurality of printers to fulfill a print job of a user, the method comprising the steps of: registering a printing capability of the printers (page 5, paragraph 127-134); receiving a print request for the print job from the user (1300 of Fig. 10, page 6, paragraph 152); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (1400 of Fig. 10, page 6, paragraph 157); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (1400 of Fig. 10, page 6, paragraph 157); and presenting the list of the at least one of the printers to the user (1910 of Fig. 10, page 6, paragraph 161).

Referring to claim 14, Amarger et al. disclose a computer-readable medium having computer-executable instructions for performing a method of selecting a printer from a plurality of printers to fulfill a print job of a user (page 3, paragraph 82-83), the method comprising: registering a printing capability of the printers (page 5, paragraph 127-134); receiving a print request for the print job from the user(1300 of Fig. 10, page 6, paragraph 152); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (1400 of Fig. 10, page 6, paragraph 157); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (1400 of

Fig. 10, page 6, paragraph 157); and presenting the list of the at least one of the printers to the user (1910 of Fig. 10, page 6, paragraph 161).

Referring to claim 19, Amarger et al. disclose a system for selecting a printer from a plurality of printers to fulfill a print job of a user, the system comprising: a memory device configured to have a printing capability of the printers stored therein (page 7, paragraph 184-185); and a processor (page 9, paragraph 251) adapted to compare a print request for the print job with the printing capability of the printers to determine which of the printers have the printing capability to fulfill the print job (1400 of Fig. 10, page 6, paragraph 157), wherein the processor is adapted to compile a list of at least one of the printers which has the printing capability to fulfill the print job (1400 of Fig. 10, page 6, paragraph 157).

Claim Rejections - 35 USC § 103

5. Claims 2 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amarger et al. Pub. No. US 2003/0035122 as applied to claims 1 and 19 above, and further in view of Mitani Pub. No. US 2003/0184791.

Referring to claim 2, Amarger et al. disclose the step of registering the printing capability, the step of receiving the print request, and the step of determining which of the printers have the printing capability to fulfill the print job. Amarger et al. do not disclose expressly a print selection system controller. Mitani discloses a print controller that selects among print servers (page 1, paragraph 13). Amarger et al. and Mitani are combinable because they are from the same field of printing network systems. At the

time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the print controller of Mitani to perform the steps of Amarger et al. The motivation for doing so would have been provide a central device to obtain and manage printer characteristics as opposed to multiple computers. Therefore, it would have been obvious to combine Mitani with Amarger et al. to obtain the invention as specified in claim 2.

Referring to claim 20, Amarger et al. disclose a memory device, a processor, the step of registering the printing capability, the step of receiving the print request, and the step of determining which of the printers have the printing capability to fulfill the print job. Amarger et al. do not disclose expressly a print selection system controller. Mitani discloses a print controller that selects among print servers (page 1, paragraph 13). Amarger et al. and Mitani are combinable because they are from the same field of printing network systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the print controller of Mitani to perform the steps of Amarger et al. The motivation for doing so would have been provide a central device to obtain and manage printer characteristics as opposed to multiple computers. Therefore, it would have been obvious to combine Mitani with Amarger et al. to obtain the invention as specified in claim 20.

6. Claims 11, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amarger et al. Pub. No. US 2003/0035122 and Mitani Pub. No. US

2003/0184791 as applied to claims 2 and 20 above, and further in view of Mastie et al. U.S. Patent 6,515,756.

Referring to claims 11 and 28, Amarger et al. disclose a print request but do not disclose expressly associating a data file with a print request. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Amarger et al., Mitani, and Mastie et al. are combinable because they are from the same field of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Amarger et al. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Amarger et al. and Mitani to obtain the invention as specified in claim 11.

Referring to claim 29, Amarger et al. disclose receiving a printer selection for the print job from the user (1300 of Fig. 10, page 6, paragraph 152) and distributing the print request to the selected printer (1900 of Fig. 10, page 6, paragraph 161). Mitani discloses a print controller that selects among print servers (page 1, paragraph 13). Amarger et al. and Mitani do not disclose expressly associating a data file with a print request. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Amarger et al., Mitani, and Mastie et al. are combinable because they are from the same field of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Amarger et al. The

motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Amarger et al. and Mitani to obtain the invention as specified in claim 29.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amarger et al. Pub. No. US 2003/0035122 as applied to claim 14 above, and further in view of Mastie et al. U.S. Patent 6,515,756.

Referring to claim 18, Amarger et al. disclose a print request but do not disclose expressly associating a data file with a print request. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Amarger et al. and Mastie et al. are combinable because they are from the same field of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Amarger et al. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Amarger et al. to obtain the invention as specified in claim 18.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH